

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

James B. Darby,

Plaintiff,

v.

Nancy A. Berryhill, Acting Commissioner  
of Social Security,

Defendant.

C/A No.: 6:16-cv-00729-RBH

**ORDER**

On November 20, 2017, Plaintiff filed a motion for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 42 U.S.C. § 2412, on the basis that the position taken by the defendant in this action was not substantially justified. In the motion, Plaintiff requested attorney's fees in the amount of \$5,531.25 and expenses in the amount of \$22.25. On November 30, 2017, the parties filed a stipulation for an EAJA award of \$5,365.38 in attorney's fees and \$22.25 in expenses.

Based on the foregoing and after considering the briefs and materials submitted by the parties, the court orders the defendant to pay the sum of \$5,365.38 attorney's fees and \$22.25 in expenses pursuant to EAJA, subject to the Treasury Offset Program if the prevailing party owes a debt to the federal government. However, the payment shall be made payable to the claimant pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010) and mailed to his attorney, with a copy to the claimant.

**IT IS SO ORDERED.**

December 6, 2017  
Florence, South Carolina

s/ R. Bryan Harwell

R. Bryan Harwell  
United States District Judge